

THE

C A S E

OF

*Saint Clair K*

CHARLES St. CLAIR, Esq;

Claiming the Title, Honour, and Dignity of

Lord SINCLAIR.

Letters Patent.

**K**ING CHARLES the Second, by Letters Patent, bearing Date the 1st of June 1677, granted the Title, Dignity and Honour of Lord Sinclair to Henry St. Clair, Grandson of John, the Sixth Lord Sinclair, and eldest Son of John St. Clair, Fiar of Herdmanston, by Catherine his Wife, Daughter of the said John, the Sixth Lord Sinclair, and to the Heirs Male of his Body; Remainder to John St. Clair, Brother of the said Henry St. Clair, and the Heirs Male of his Body; Remainder to Robert St. Clair, Brother of the said John, Fiar of Herdmanston, and the Heirs Male of his Body; Remainder to George St. Clair, another Brother of the said John, Fiar of Herdmanston, and the Heirs Male of his Body; Remainder to Mathew St. Clair, another Brother of the said John, Fiar of Herdmanston (and the Great-Grandfather of the present Claimant), and the Heirs Male of his Body; Remainder to the nearest lawful Heir Male of the said Henry, Grandson to the said John, the Sixth Lord Sinclair.

Marriage of Henry  
Lord St. Clair.  
His Issue.

Henry Lord Sinclair, married Grizel, Daughter of Sir James Cockburn of that Ilk; by whom he had Six Sons, viz. John, James, William, David, Henry, and Mathew; all of whom died without leaving Issue Male of their Bodies.

His Death.

The said Henry Lord Sinclair died in 1723.

Death of John Second, named in the Patent.

John, the other Son of the said John, Fiar of Herdmanston, by Catherine his Wife, died a Bachelor during the Lifetime of his Brother Henry, Lord Sinclair.

Death of Robert.

Robert St. Clair, the Brother of the said John, Fiar of Herdmanston, and next in Limitation named in the Letters Patent above mentioned, died in 1702, without leaving Issue Male of his Body.

Death of George.

George St. Clair, another of the Brothers of the said John, Fiar of Herdmanston, mentioned in the Limitations in the said Letters Patent, married Isabel, Daughter of Sir James Cunningham Durham of Pittan and Luffness, by whom he had only One Son, named John.

Death of John, his Son.

The said John died without leaving Heirs Male of his Body.

Mathew's Marriage.

Mathew St. Clair, the other Brother of the said John, Fiar of Herdmanston, and the last Person named in the Limitations in the said Letters Patent, married Margaret, Daughter of Sir Thomas



His Issue Male. *Thomas Carr of Cavers*, Baronet, by whom he had Two Sons, *Charles* and *Andrew*. He died at *Herdmanston* in 1728.

Marriage of *Charles*, his Son. *Charles*, the eldest Son of the said *Mathew*, married *Elizabeth*, Daughter of the Honourable Sir *Andrew Hume* of *Kimmergham*, Knight. He died at *Edinburgh* in 1775, and left a Son, named *Andrew*.  
Death of said *Charles*.  
Leaves *Andrew*.

*Andrew's* Marriage. The said *Andrew* married *Elizabeth*, Daughter of *John Rutherford* of *Edgerton*, Esquire. He died at *Edinburgh* in 1776, and left Two Sons, *Charles*, the present Claimant, and *Mathew*.  
His Issue Male.

S. DOUGLAS.

P. JOHNSTON.

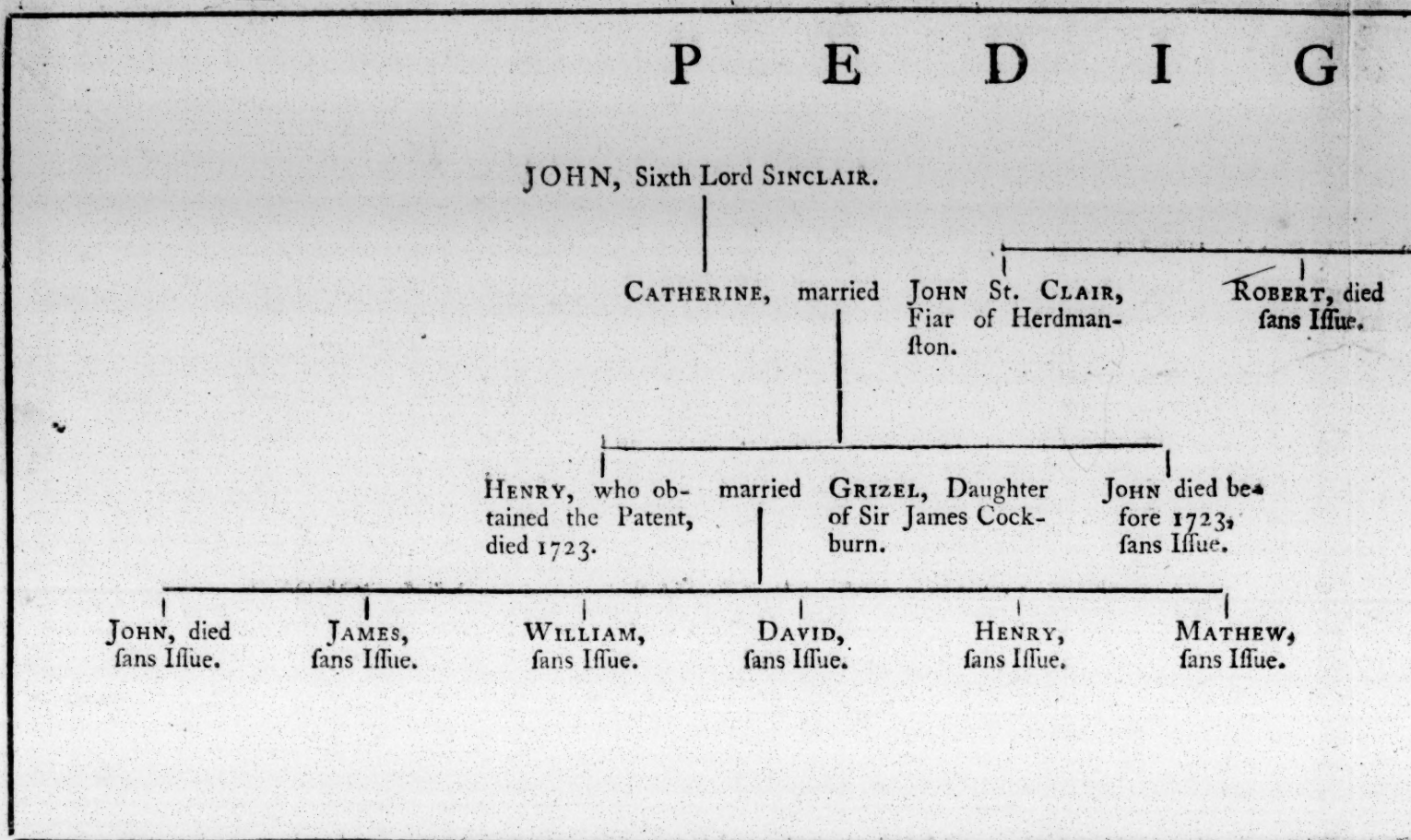








P E D I G



*Abstract from the Records in Scotland, and other Places; and also an Account of Parole Evidence to be offered in Support of the Claim of Charles St. Clair, Esq; to the Title, Honour, and Dignity of Lord Sinclair.*

*The Letters Patent.*

Great Seal Register.

**K**ING Charles the Second, by Letters Patent, bearing Date the First Day of June 1677, granted the Title, Dignity, and Honour of Lord Sinclair

To Henry Sinclair, Grandson of John Lord Sinclair's lawful eldest Son, of Mrs. Katharine Sinclair, only Daughter of John Lord Sinclair, begotten between her and John Sinclair, Feoffee of Herdmanston, her Husband, and the Heirs Male of the Body of the said Henry; Remainder

To John Sinclair, his Brother German, and the Heirs Male of his Body; Remainder

To Robert Sinclair, Brother German of the said John Sinclair of Herdmanston, and the Heirs Male of his Body; Remainder

To George Sinclair, his other Brother German, and the Heirs Male of his Body; Remainder

To Matthew Sinclair, his other Brother, and the Heirs Male of his Body; Remainder

To the nearest lawful Heirs Male of Henry Sinclair, Lord Sinclair.

The Death of said Henry Lord Sinclair, and that he left Issue John, James, William, Henry, and Matthew, and never had any other Male Issue, except David, who died in his Father's Lifetime.

Register-book of Burials belonging to Dyfart.

*Copy, Registration of the Burial of said Henry Lord Sinclair, as follows, viz.*

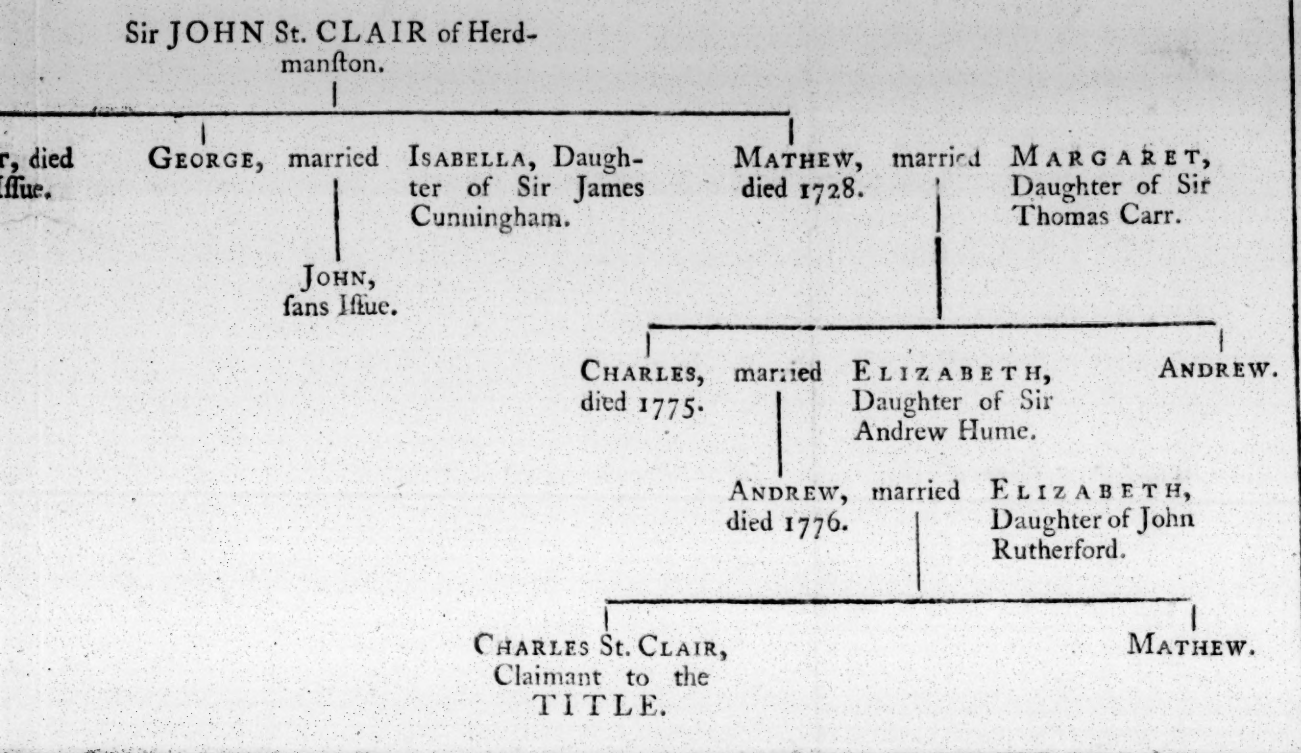
" March 14, 1723, the Right Honourable Henry Lord St. Clair was buried."

N. B. At Dyfart is the Vault of the Sinclair Family, wherein the said Lord Henry, as well as his Sons after mentioned, to be in the Dyfart Register, were buried.

William Pitcairn, M. D. President of the Royal College of Physicians, aged Seventy, deposes, That he was born at Dyfart, and lived there with his Father many Years:

Further





Further says, That Lord *Henry Sinclair* and Family lived there; did not know him personally, as he was by Illness confined:

And, That he died, leaving Five Sons, viz. *John* (who was called Lord *John*), *James* (a General in the Army), *William*, *Henry*, and *Matthew*, and never had any other Male Issue, except said *David* (whom Witness has heard, and believes, died in his Father's Lifetime), that Witness ever heard of; and says, if he had left other Male Issue, thinks, from his Knowledge of the Family, he must have known or heard of it.

*James Spence*, of *Soho Square*, Surgeon, aged Fifty Years and upwards, deposes, That he was very intimate in the *Sinclair* Family, and lived with *William*, one of the Sons of Lord *Henry*:

Further says, That Lord *Henry* died, leaving Five Sons, viz. *John*, *James*, *William*, *Henry*, and *Matthew*, and never had any other Male Issue, except *David*, to his Knowledge, who, Witness has heard, and believes, died in his Father's Lifetime.

*Helen Molleson*, of *Edinburgh*, Daughter of Mrs. *Ann Molleson* (who died Four Years ago), who was nearly related to the *Sinclair* Family, deposes, That her Mother was remarkably attentive to the Pedigree of the Family, and was frequently talking thereof; has often heard her Mother say that Lord *Henry* had Six Sons, as mentioned in the Pedigree of this Appendix, and no other Male Issue:

That said *John*, *James*, *William*, *Henry*, and *Matthew*, all died without leaving any Issue Male; and that *David*, who was also a Son of said *Henry*, died in the Lifetime of his Father.

### Copy, Registration of Burials.

Register book of Burials belonging to Dyfart.

" April 3, 1747, the Honourable Mr. *Matthew St. Clair* was buried.

" November 9, 1750, the Right Honourable Lord *John St. Clair* was buried.

" December 9, 1762, the Honourable General *James St. Clair* was buried.

" January 21, 1766, the Honourable Mr. *Henry St. Clair* was buried."

" May 20, 1762, *William St. Clair*, Great Kirby-Street."

Register-book of Burials belonging to St. Andrew, Holborn, Middlesex.

Said *William Pitcairn* further deposes, That he well knew *John St. Clair*, General *James*, *William*, *Henry*, and *Matthew*. That *John* and *James* were married, but *William*, *Henry* and *Matthew* were never married; and all of them died without ever having had Issue Male, as he always understood and



and believes; and that if any of them had such Issue, he thinks, from his Acquaintance with the Family, and Connections at *Dysart*, he must have known it.

Said *James Spence* deposes, That he was very intimate in the Family of Lord *Henry*, and was well acquainted with his Sons, *John*, General *James*, *William*, and *Matthew*: That he lived with *William* in his House many Years, who afterwards came to reside in *London*, and died there.

Further says, That said *John*, *James*, *William*, and *Matthew*, all died without ever having had Issue Male, as he always understood and believes; and that if they had left such Issue, that he must have known it; and has heard, and believes, that *David* and *Henry* died without leaving Issue Male.

Said *Helen Molleson* says, That she has heard her Mother say, that all the Six Sons of Lord *Henry* died without leaving Issue Male; and Witness says, such has always been the Reputation of the Family and Neighbours; and that *David* died in the Lifetime of his Father.

Death of *John*, Brother to Lord *Henry*, the Second Person named in the said Patent, without Heirs Male of his Body.

Said Dr. *Pitcairn* and Mr. *Spence* say, They never heard that said *John*, Brother to Lord *Henry*, left any Issue Male; and believe he died in his Brother's Lifetime, without leaving such Issue; and if there had been any, think they must have known it.

Said *Helen Molleson* further deposes, That she has often heard her Mother say, that said *John*, the Brother to Lord *Henry*, died in the Lifetime of his said Brother, without having had Issue Male.

Death of *Robert Sinclair*, Brother to *John Sinclair* of *Herdmanston*, without Heirs Male of his Body.

Said *Helen Molleson* further says, That she also often heard her Mother say, that said *Robert Sinclair* of *Herdmanston* died without Issue Male.

Death of *George Sinclair*, another Brother of said *John Sinclair* of *Herdmanston*, leaving one Son only (*John*), who died without Heirs Male.

Said *Helen Molleson* further says, That she has often heard her Mother say, that said *George* died leaving only one Son, whose Name was *John*, a Physician of *Haddington*.

Register-book belonging to the Parish of

Copy, Registration of his Burial will be produced, by which it will appear he was buried in 1742.

Deposition of *Andrew Dickson* (deceased), aged Eighty Years and upwards, taken at *Haddington*, May 19, 1780, before Two Justices of the Peace there.—That he was well acquainted with said *John Sinclair*, Physician at *Haddington*, who died there about Thirty Years ago, without having had Heirs Male; and that said *John* was a Relation of the *Herdmanston* Family.

The Marriage of *Matthew*, the Fifth named in the said Patent, with *Margaret Carr*.

An authenticated Certificate of this Marriage will be produced, and parole Evidence given of this *Matthew* being the same Person as is described in the Patent.

Said *Matthew's* Death leaving *Charles* his eldest Son and Heir.

Records of the Kirk Session of Salton.

Extract.—“ 1728, November 11th. Dr. *Matthew Sinclair* was buried in the Family Vault “ at *Herdmanston*.”

*William Molleson* of *Surry Street, Strand*, Esq. Nephew of said *Charles*, deposes, That he remembers said *Charles*, and that he was the eldest Son of said *Matthew*, and enjoyed the Family Estate as such.

*Charles's* Marriage with *Elizabeth Hume*.

An authenticated Certificate of this Marriage will also be produced.

Said *Charles's* Death, leaving *Andrew* his only Son.

Records of the Kirk Session of Salton.

Extract.—“ 1775, January 9. *Charles Sinclair* of *Herdmanston*, was buried in the Family Vault.”

Said



Said *William Molleson* further depofes, That he knew faid *Andrew*, and that he was the only Son of faid *Charles*.

Said *Andrew's* Marriage with *Elizabeth Rutherford*.

Authenticated Certificate of this Marriage will be produced.

Death of *Andrew*, leaving *Charles* the Claimant his eldeft Son, and *Matthew*.

Records of the Kirk  
Session of Salton.

Extract.—“ 1776, December 24. *Andrew Sinclair* of *Herdmanston* was buried in the Family Vault.”

Said *William Molleson* further depofes, That faid *Andrew* had Issue, the Claimant his eldeft Son, *Charles St. Clair*, and another Son *Matthew St. Clair*, who, as well as the Claimant, is now living.

Said *William Molleson* further depofes, as a Proof that the Claimant is Heir Male to *Matthew* his Great Grandfather, and the laft Person named in the faid Patent.

That the faid *Molleson* is Guardian to the Claimant, and as fuch is in the Poffeffion of, and Receipt of the Rents and Profits of faid *Matthew's* Eftates for the Ufe of Claimant.

20. April 1787

*Resolved and Adjudged that the Petitioner hath made out his Claim to the Title Honour and Dignity of Lord Sinclair*



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THE  
CASE.

OF

CHARLES St. CLAIR, Esq; claiming  
the Title, Honour, and Dignity of Lord  
SINCLAIR.

To be heard at the Bar of the House of Lords, on  
the Day of 1782.

WALLIS and TROWARD,



